

**THE MIZORAM TOWN (SANITATION)
RULES, 1980**

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NOTIFICATION

Dated Aizawl, the 30th, April, 1981. No. LAD/VC-8/78/67 :
Whereas it is expedient to make improve arrangement for the promotion of Public health and sanitation, comfort and convenience of the inhabitants in the Towns as envisaged in item 20 of the Schedule appended to the Mizoram District (Administration of Town Committees) Act, 1955 as adapted.

NOW, THEREFORE, in exercise of the powers conferred by section 7 of the said Act, the Lt. Governor (Administrator) of the Union Territory of Mizoram in pleased to make the following rules, namely :-

1. Short title, extent and commencement -

- 1) These rules may be called the Mizoram Town (Sanitation) Rules, 1980.
- 2) They shall extend to such towns as the Administrator may, by
- 3) They shall come into force on the date of their publication in the Gazette.

2. Definitions - In these rules, unless the context otherwise requires -

- 1) "Act" means the Mizo District (Administration of Town Committees) Act, 1955 as adapted;
- 2) "Administrator" means the Administrator of the Union Territory of Mizoram.

3) "Building" includes a house, shops, stall, hut, out-house, garage, shed, privy, urinal and other roofed structure stable irrespective of the material it is constructed of;

4) "Conservancy" means removal and disposal of sewage, offensive matter and rubbish;

5) "Dangerous disease" means -

a) Smallpox, cholera, dysentery, tuberculosis, leprosy, enteric fever, diphtheria, cerebrospinal meningitis and syphilis; and

b) The Government notified to be dangerous may by any other epidemic, endemic or infectious disease which the Government may by notification, declare to be dangerous disease for the purposes of these rules;

6) "District Magistrate" means the District Magistrate of Aizawl and Lunglei Districts and includes Additional Magistrate of these districts;

7) "Drain" includes a sewer, a house drain, drain of any other description, a tunnel, a culvert, a ditch, a channel and any other device for carrying off sullage and sub-soil water;

8) "Factory" means any premises including the precincts thereof in which a manufacturing process is being carried on;

9) "Filth" includes night-sewage and all offensive matters;

10) "Gazette" means the Mizoram Gazette;

11) "Goods" include animals;

12) "Government" means the Government of the Union Territory of Mizoram;

13) "Hotel" means any premises in which a bonafide business is carried on for the supply of dwelling accommodation and meals on payment of a sum of money to a traveller or any other member of the public or class of the public;

14) "House" means any hut, shop, warehouse, workshop, a masonry or framed building;

- 15) "Inhabitant" used with reference to a local area means person ordinarily residing or carrying on business or owning or occupying immovable property therein;
- 16) "Latrine" means a place set apart for defecating or urinating or both and includes a closet of the dry or water carriage type and urinal;
- 17) "Market" means a place where persons assemble for the sale any purchase of articles intended for food or drink or of livestock or other merchandises;
- 18) "Notification" means a notification published in the Gazette;
- 19) "Occupier" means -
 - a) an owner occupying or otherwise using any laid or building;
 - b) any person who for the time being is occupying any land or building on payment of rent;
 - c) And includes a rent-free tenant and licensee in occupation of any land or building;
- 20) "Offensive matter" includes animal carcass, kitchen refuse, stable refuse, dung, dirt and putrid;
- 21) "Officer functioning as a Town Committee" means an Officer appointed to function as a Town Committee under subsection (4) of section 4 of the Act;
- 22) "Owner" means a person in charge of the thing in connection with which the word is used;
- 23) "Premises" means any land or building or a part thereof and includes-
 - a) the garden, ground and out-house, appertaining to a building or any part thereof; and
 - b) any fittings affixed to a building or any part thereof;
- 24) "Privy" means place for easing nature;
- 25) "Public Notice" means a notice issued by the Sanitation Officer or the Town Committee under these rules for carrying out the provisions thereof;

26) "Restaurant" means any premises in which is carried on wholly or principally the business of supply of meals or refreshments to the public or a class of the public for consumption on the premises;

27) "Rubbish" means dust, ashes, broken bricks, broken glass, mortar and refuse of any kind which is not offensive matter;

28) "Sanitary Inspector" means a person appointed as such on a substantive, temporary or officiating capacity to whom sanitation work is entrusted;

29) "Sanitary Officer" means the Officer appointed or declared as such under rule 3, and includes Assistant Sanitation Officer appointed or declared as such under the said rule;

30) "Sewage" means night-soil and other contents of privies urinals, cesspools or drains and includes trade effluents and discharge from factories or workshop of all kinds;

31) "Shed" means a slight or temporary structure for shade or helter;

32) "Slaughter house" means a place used for the slaughter of cattle, sheep, goats, kinds or pigs for the purpose of selling the flesh there of these rules as meat;

33) "Specified town" means a town specified by the Administrator, by notification, under sub-rule (2) of rule 1 for the application of these rules;

34) "Sufficient reason" means a reason or reasons considered sufficient by the Sanitation Officer or the Town Committee;

35) "Tea Stall" means any premises in which is carried on the business of supplying Tea, Coffee, Milk and the like (but not hot drinks) with or without refreshments but not being a restaurant;

36) "Town" means any areas declared as a notified area under section 3 of the Act;

37) "Town Committee" means a Committee constituted under section 4 of the Act and includes an officer appointed under

sub section (4) of the said section 4 to function as a Town Committee;

38) "Trade effluent" means any liquid either with or without particles of matter in suspension therein, which is partly or wholly produced in the course of any trade or industry carried on or in relation to any trade premises;

39) "Trade premises" means any premises used or intended to be used for carrying on any trade or industry;

40) "Trade refuse" means the refuse of any trade or industry;

41) "Union Territory" means the Union Territory of Mizoram;

42) "Vehicle" includes a carriage, cart, van, dray, truck, hand cart, bicycle, tricycle, cycle-rikshaw, auto-rickshaw, motor vehicle and every wheeled conveyance, which is used or is capable of being used on a street or their part.

43) "Water works" include all lakes, tanks, streams, cisterns, springs, pumps, wells, reservoir and holes used or intended for the purpose, of supplying water;

44) "Workshop" means any premises (including the precincts thereof) other than a factory, wherein any industrial process is carried on.

3. Sanitation Officer -

1) There shall be a Sanitation Officer or Assistant Sanitation Officer for one or more specified towns who shall be appointed either in a substantive, temporary or ex-officio capacity :

Provided that for one or more specified towns there can be both the Sanitation Officer and the Assistant Sanitation Officer.

Provided further that the Officer functioning as a Town Committee, and the District Magistrate or Aizawl and Lunglei shall in no case, be appointed as a Sanitation Officer.

2) Until and unless a Sanitation Officer or Assistant Sanitation Officer is appointed under the foregoing sub-rule, the Circle Officers of Aizawl and Lunglei and the Assistant Circle

Officers of Aizawl and Lunglei shall be deemed to be appointed as the Sanitation Officers and Assistant Sanitation Officers respectively on ex-officio capacity.

3) Appeal against any order of the Sanitation Officer shall be made to the Deputy Commissioner within two weeks of the receipt of such order, and appeal against the order of the Deputy Commissioner shall be made to the Government.

4. Powers of Sanitation Officer :

1) The Sanitation Officer shall have power to impose a fine for any offence against the provisions of these rules or for willful disobedience of any public notice or order made by him under these rules, upto a limit of one hundred rupees. Action taken by him shall be recorded in writing:

Provided that no such fine shall be imposed on any person under this sub-rule unless such person has been given a reasonable opportunity of being heard in the matter.

2) If any person, on whom a fine has been imposed by the Sanitation under these rules, fails to deposit the amount at the stipulated time without sufficient reason or any amount is due under these rules from any person the Sanitation Officer shall report the matter to the District Magistrate who shall take action to realize the fine or dues in such manner as arrears of Land Revenue or in the manner provided for the recovery of Public demands by any law for the time being in force.

3) Nothing will bar the District Magistrate from referring the case referred to him under these rules to a competent lower Court for taking action.

4) The Sanitation Officer shall also have power to eject forth with any person on seeing him obstructing or willfully hampering by any means the works of Sanitation and to impose a fine upto a limit of one hundred rupees.

5) When the Sanitation Officer is of the opinion that the fine he is competent to impose is not sufficient in the circumstances of the case, he shall without delay refer the case to the Deputy

Commissioner and the Deputy Commissioner shall dispose of the case in accordance with these rules.

5. Power of Deputy Commissioner -

1) Ordinarily the Deputy Commissioner shall not take up original case of offence against the provisions of these rules, but shall try the case referred to him by the Sanitation Officer.

2) The Deputy Commissioner shall have power to dispose of the case referred to him in any manner, either on hearing of the accused or appellants or their witnesses, or on the written records, and he shall have undisputed power to lessen or increase, within the limit given under rule 29, the fines imposed on a person by the Sanitation Officer when such case is referred to him by way of appeal.

6. Payment of fines - All fines or dues payable to the Sanitation Officer or the Deputy Commissioner, according from the provisions of these rules shall be made by means of Treasury receipts only and shall be credited to appropriate head of account as may be ordered by the Government from time to time.

7. Conservancy -

1) The Sanitation Officer may provide or appoint in proper and convenient situations. Public receptacles, depots and places for the temporary deposit or final disposal of rubbish, offensive matter, sewage and the carcasses of dead animals accumulating in the specified town.

2) All things deposited in receptacles, depots or places provided or appointed under sub-rule (1) shall be the property of the sanitation agency.

8. Collection and removal of sewage, etc. - The Sanitation Officer may give public notice that the collection and removal of sewage, offensive matter and rubbish from the lands and buildings in any portion of the Specified town will be undertaken by Sanitation agency, and he shall then forthwith take measures for the due collection and removal of such matter from any lands and buildings situated in the said portion of the specified town.

9. Powers of Sanitation Officers for Collection and removal of rubbish, etc. -

1) The Sanitation Officers may, by public notice, direct that all rubbish and offensive matter accumulating in any premises in any street or portion of the specified towns to be mentioned in the notice, shall be collected by the occupier of such premises and deposits in a box, tin, basket or other receptacle, of a kind approved by him, to be provided by such occupied and kept neat the entrance to, or where open space is available with the premises in such open space for collection and removal by the Sanitation agency.

2) The Sanitation Officer may cause public dustbins or other convenient receptacles to be provided at suitable intervals and in proper and convenient situations in streets or portion of the specified town in respect of which no notice issued under sub-rule (1) is for the time being in force, and may, by public notice, direct that all rubbish and offensive matter accumulating in any premises, the entrance to which is situated within 100 feet from any such dustbin or receptacle, shall be collected by the occupier of such premises and deposited in such dustbin or receptacle, for collection and removal by the sanitation agency.

3) The Sanitation Officer may, by public notice, direct that all rubbish and offensive matter accumulating in any street or portion of the specified town in respect of which no notice issued under the sub-rule (1) (2) is for the time being in force, shall be collected by the occupier of such premises and deposited in lump in some portion of the street abutting such premises as may be specified in such notice or in some portion of such premises for collection and removal by the sanitation agency.

4) In any notice issued under any of the foregoing sub-rules, the Sanitation Officer shall fix the hours within which rubbish and offensive matter shall be deposited under that sub-rule.

5) The Sanitation Officer, may, by public notice, direct that sweepers, privately employed for removal of sewage, rubbish or offensive matter, shall remove the same in proper receptacle of a type to be approved by him in such manner as not to cause unnecessary to passes by in the street.

10. Rubbish etc. not to be Thrown on Street -

No person :

a) Shall throw or place any rubbish, offensive matter or sewages on any street or in any place not provided or appointed for the purposes under the provisions of these rules;

b) Who is the owner or occupier of any land or building, shall allow any sewage or offensive matter to flow, soak or be thrown therefrom, or keep or suffer to be kept therein or thereupon anything so as to be a nuisance to any person, or negligently suffer any receptacle or place for the deposit of offensive matter or rubbish on his premises to be in such state as to be offensive or injurious to health.

11. Permission for establishment of factory, workshop or trade premises -

1) No person shall, without a licence from the Sanitation Officer on payment of an annual licence fee as specified in sub-rule (5) in any place within the specified town, establish or materially alter, enlarge or extend any factory, or workshop or trade premises in which it is intended to employ steam, electricity water or other mechanical power.

2) The owner or manager of a factory or workshop or trade premises existing before commencement of these rules, shall also obtain licence from the Sanitation Officer for continuance of such factory, workshop, or trade premises on payment of an annual licence fees specified in sub-rule (5).

3) The Sanitation Officer may refuse to grant such licence for the establishment or continuance of a factory, workshop or trade premises if he is of the opinion that such establishment or continuance in the proposed or existing position would be objectionable by reason of the nuisance or inconvenience it may cause to the public or the inhabitants of the neighborhood, or for non-availability of drainage or other means of disposing of sewage and offensive matters.

4) While giving license for opening or continuance of factory, workshop, or trade premises the Sanitation Officer may make such terms or conditions to be observed by the owner or manager.

5) The annual license fee shall be at the following rates, namely :- a) Factory - Rs. 50/- b) Workshop - Rs. 50/-

Provided that the levy of licence fee shall not effect the levy of trade tax or professional tax payable under the Lushai Hills District (Taxes) Regulation, 1953 as adapted or the Mizo District (Professions, Trades, Calling and Employments Taxation) Regulation, 1963 as adapted, respectively.

6) If in the opinion of the Sanitation Officer a factory workshop or trade premises in run or maintained in base or insanitary condition, the Sanitation Officer may, by notice, require the owner or manager thereof to close down, vacate or stop management of the same from such date or time as may be stipulated in the notice.

12. Prohibition of Storage of dangerous articles, etc. -

No person shall :

a) Store or keep or allow to be stored or kept in any premises any articles which are dangerous or offensive, or likely to be a nuisance to the public, or dangerous to life health or property;

b) Carry on or allow to be carried on in any premises or quarter any trade, manufacturing industry or operation which is dangerous to life, health or property or is likely to create nuisance or cause inconvenience to the public, either from its nature or by reason of the manner in which it is carried on or by reason of the manner in which it is carried on or the condition under which the same may be carried on;

Provided that nothing in these rules shall effect the provisions of the Indian Explosive Act, 1884 or Petroleum Act, 1934.

Explanation 1 - A person shall be deemed to have known that a trade or operation is dangerous or likely to create a nuisance or inconvenience within the meaning of these rules after written notice to that effect signed by the Sanitation Officer has been served on such person or affixed to the premises to which it relates.

Explanation 2 - A person shall be deemed to carry on or allow to be carried on a trade or operation within the meaning of this rule if he does any act in furtherance of such trade or is in any way engaged therein or connected therewith as Principal, agent, employees or in any other similar capacity.

13. Power to inspect - For the purpose of these rules, the Sanitation Officer or the Sanitary Inspectors on duty at any time, by day or by night and without notice, shall have a right to enter any premises belonging to a person, firm, company or Government department to do necessary inspection.

14. Prevention of dangerous diseases -

1) No person, who is suffering from a dangerous disease, shall enter or cause or permit himself to be carried in, a public conveyance.

2) No owner, driver or person, in charge of a public conveyance shall knowingly carry or permit to be carried in such conveyance any person suffering from dangerous disease or any dead body of person or animal who or which has died of such disease without taking proper precautions against the spreading of such disease.

15. Special Measures on Out-break of Dangerous Diseases -

1) In the event of the specified town or any part thereof being visited or threatened by an out-break of any dangerous disease amongst the inhabitants thereof or from any outsiders, or any epidemic disease among any animals therein or from outside, the Sanitation Officer, with the previous approval of the Government may :-

- a) take such special measures as deemed fit; and
- b) by public notice, give such directions to be observed by any class or section of the public or by any outsiders temporarily residing at visiting the place, as he thinks necessary to prevent out-break or spread of the disease :

Provided that where in the opinion of the Sanitation Officer immediate measures are necessary, he may take action without such previous approval and if he does so, shall forthwith report such action to the Government through the Deputy Commissioner.

- 2) Any person committing breach of any direction given under the foregoing sub-rule shall be deemed to have committed an offence section 188 of the Indian Penal Code.

16. Burning of burial ground -

- 1) The Sanitation Office may, by notice in writing, require the owner or person in-charge or any burning or burial ground within any portion of the specified town to supply such information as may be specified in the notice concerning the condition, management, position, or any other information of such ground.

- 2) Any place which has not been used as a burning or burial ground before the commencement of these rules shall not be used as such without the permission in writing, of the Sanitation Officer.

- 3) Such permission may be granted subject to any condition which the Sanitation Officer may think fit to impose for the purpose of preventing any inconvenience to, or danger to the health of any person residing in the neighborhood.

- 4) No person shall burn any dead body of a person except in the place set apart with the permission of the Sanitation Officer under these rules, or such place being in use before the commencement of these rules.

17. Closing of burning or burial ground -

- 1) Where the Sanitation Officer after making or causing to be made local enquiry by a Medical Officers of Health Department, is of the opinion that any burning or burial ground has become

offensive to, or dangerous to the health of any person residing in the neighborhood, he may, with the previous sanction of the Government, by notice in writing, order that such ground shall be closed from such date as may be specified in the notice.

2) No corpse shall be burnt or buried at the burning or burial ground in respect of which a notice has been issued under the foregoing sub-rule.

18. Direction regarding maintenance, etc. of burning or burial ground -

The Sanitation Officer may, by public notice, issue a directive or order concerning the condition, management or maintenance of all or any of the burning or burial grounds within the specified town.

19. Disposal of dead animals -

1) Whenever and wherever within the specified town any animals incharge of any person, dies, the person incharge thereof, shall, within twenty four hours, either.

a) dispose of the carcass; or

b) convey the carcass to a place provided or appointed for disposal of the carcass of dead animals; or

c) give notice of the dead animal to the Sanitation Officer or The Sanitary Inspector or other worker of sanitation agency on duty whereupon he shall cause the carcass to be disposed of.

2) In respect of the disposal of the carcass or a dead animal under clause of sub-rule (1), the Sanitation Officer may recover from the person incharge of the animal such fee as he may, by public notice, specify.

20. Drainage and sewage -

1) All drain within the specified town, whether natural or artificial, partly or wholly constructed or maintained out of Government fund, irrespective of the authorities who constructed or maintained such drains other than private drains constructed maintained by private funds, shall be deemed as public drains.

2) The public drains shall be constructed maintained and kept so as to keep the drains free from public nuisance and shall, from time to time, be properly flushed, cleansing and emptying off such drain shall be upon the sanitation agency or such other authorities as the Government may from time to time, decide;

Provided that until and unless the Government otherwise decides under this sub-rule, the burden of flushing, cleansing and emptying off the drains shall be upon the authorities who constructed or maintain such drains, and the Sanitation Officer may required the concerned authorities to repair, maintain or keep such drain to be free form public nuisance.

3) No person shall put any articles, materials or sands or spoils out of any earth-work in the public drains so as to prevent or hamper flow or carrying off sillage drain water or sub-soil water.

4) No person shall construct private drains as to cause nuisance to the public or as may be inconvenient or offensive to any person residing in the neighborhood.

5) No person shall, without the permission of the Sanitation Officer, made or cause to be made, or alter or cause to be altered, any drain leading to the public drains.

6) If any person desires to connect his private drain, or to make a drain to be connected with a public drain, he shall obtain written permission from the Sanitation Officer.

7) The Sanitation Officer may refuse to give permission under sub-rule (6) if he is of the opinion that the construction or connection of such drain in the proposed position world be objectionable any reason of the nuisance or inconvenience such drain may cause to the public or the inhabitants of the neighborhood, and in consideration of inordinate additional burden it may cause to the Sanitation agency or other concerned authorities.

8) The Government may provide, appoint or construct or set up dumping places reservoir, sluices, engines and other works for the purpose of flushing, cleansing, and emptying the public drains at suitable place or places.

21. Public Latrines and Urinals - The Government shall provide and maintain in proper and convenient places a sufficient number of public latrines and shall cause the same to be kept clean and in proper order.

22. Duties of owner of building or land to provide drain, privy, latrine etc. -

1) The Sanitation Officer may, by notice, require the owner of any building or land to provide, move or remove any drain, privy, latrine, absorption pit, disposal work, cesspool or other receptacle for filth or refuse or provide any additional drain, privy latrine, urinal, absorption pit, disposal works, cesspool or other receptacles as a for said which should, in his opinion, be provided for the building or for the land, in such manner and of such pattern as the Sanitation Officer may direct.

2) The Sanitation Officer may, by notice, require the owner or occupier of any building or land to have any privy, latrine or urinal set apart or made for the purpose, to be shut out by a sufficient roof and wall or fence from the views of persons passing by or dwelling in the neighborhood or to take such measure as to prevent bad smell from coming out, or to remove or alter any door or trapdoor or other opening of such privy, latrine or urinal opening on to any street or drain.

3) The Sanitation Officer may be notice, require the owner or occupier or any building or land to repair, alter or put in good order any private drain, privy, latrine, urinal, animal shed, absorption pit, disposal work, or cesspool belonging thereto, or direct that such private drain shall, from such date as may be fixed, and for rain water or unpolluted sub-soil water direct the owner or accupied of the premises to make an early distinct private drain.

4) The Sanitation Office may, by notice, require any person who may construct rebuild, or open any drain, private latrine urinal, absorption pit, animal shed; disposal work, cesspool or receptacle for filth or refuse without his permission or contrary to his direction or of the provision of these rules, or the notifications,

notice or orders made there under, to demolish such drain, latrine, urinal, absorption pit, animal shed, disposal work, cesspool or receptacle or to made such alteration therein as he deems fit.

5) The Sanitation Officer may, by notice, require any owner or occupier on whose land any drain, privy, latrine, urinal, absorption pit, animal shed, disposal work, cesspool or other receptacle for filth or refuse for the time being exist within a hundred feet from any spring, well, tank, reservoir or other source from which water is derived or may be derived for use by the public, to remove or close the same within a month from the date of receipt of such notice.

6) On failure of such person to remove or close such drain, latrine privy, urinal, absorption pit, animal shed, disposal work, cesspool or other receptacle for filth or refuse within the stipulated time, the Sanitation Officer may order for demolition of the same, or impose a fine on the person not exceeding twenty rupees per day after the service of the order on him under sub-rule (5)

7) In the event of failure to comply by any person the order of the Sanitation Officer under the foregoing sub-rules if such order specifically requires removal, the procedures laid down in the foregoing sub-rules (5) and (6) shall apply.

23. Public safety and suppression of nuisance -

1) No person shall :

- a) in any public street or public place;
 - i) ease himself; or
 - ii) loiter, or beg importunately, for alms, or
 - iii) expose of exhibit with the object of exciting charity, any deformity or disease or wound; or
 - iv) without proper authority, affix upon any building, monument, post, wall, fence, tree or other thing, any bill, notice or other document; or

v) without proper authority, deface or write upon or otherwise mark any building, monument, post, wall, fence, tree or other thing; or

vi) without proper authority, remove, destroy, deface or otherwise obliterate any notice or other document put up or exhibited under these rules, or the notifications, notice or orders made thereunder;

vii) without proper authority, remove, destroy, deface, or otherwise interfere with, the pavement, gutter, flags or other materials of any street, or any lamp bracker, direction post, hydrant or water pipe partly or wholly maintained by the Government or the Town Committee in any street or place, or extinguish a public light; or

b) make any grave or burn or bury any corpse at any place not set apart for such purpose; or

c) let loose any animal or negligently allow any animals so as to cause injury, danger, alm or annoyance to any person; or

d) use or permit to be used as a latrine any place not extended for that purpose.

2) Every person shall take all reasonable means to prevent every child under the age of twelve years being in his charge from easing himself in any public street or public place.

3) The owner or keeper of any animal shall not allow his animal to stray in a public street or a public place without a keeper.

4) Any animal found straying as aforesaid may be removed by an Officer or employee of the Sanitation agency or by any police to a pound.

24. Precaution against fire -

1) The Sanitation Officer may, by public notice, prohibit in any case where such prohibition appears to him to be necessary, for the prevention of danger of life or property, the stocking or collection of wood, dry grass, straw or other inflammable materials

or the placing of mats, bamboos, timber, thatched huts or the lighting of fires in any place which may be specified in the notice.

2) No person shall get a naked light on or near any building in any street or other places in such manner as to cause danger of fire;

Provided that nothing in this rule shall be deemed to prohibit the use of lights for the purposes of illumination on the occasion of a festival or public entertainment.

3) No person shall discharge any fire arm or let off fireworks or fire-balloons or detonators so as to cause danger of fire breakout, or to cause danger to passers by or dwellers or workers in the neighborhood or risk of injury to property.

25. Slaughter of animals - Save in the place set apart or provided or appointed for the purpose by the Town Committee, no person shall use any place in the specified town as a slaughter house or stock-yard, or for the slaughtering of any animal intended for human consumption;

Provided that nothing in this rule shall be deemed to prohibit the slaughter of any animal in any place as a part of religious festival or ceremony.

26. Encroachment on Street -

1) Without obtaining written permission from the Sanitation Officer no person shall erect, set up, add to or place against or in front of any premisses any structure of fixture which will-

a) Overhang or project into, or in any way encroach upon, and obstruct in any way the safe or convenient passage of the public along, any street, or

b) Project into, or encroach upon any drain or open channel in any street so as in any way to interfere with the use or proper working of drain or channel or to impede the works of flushing, cleansing or emptying of such drain or channel.

2) No person shall place any materials or goods including fowls, chicken, eggs, vegetables, cash crops or any other similar kinds,

or park a vehicle, in a street so as to abstract in any way the safe and convenient passage of the public or other vehicles along the street.

3) Government shall provide or appoint suitable place or places for parking vehicles, and any vehicle parking in a places other than the place provided or appointed under this rule shall be liable to seizure:

Provided that until such time when the Government provides or appoints suitable places for the said purpose, the Sanitation Officer may, by notice, require the owners or drivers of vehicles to park or place in such way or at such place to be specified in the notice.

4) The Sanitation Officer may, by notice, require the encroacher or owner or occupier of any premises, materials, goods or vehicles as aforesaid to remove, or to make such other action as he may direct, in relation to any structure or fixture which has been erected, set up, added to, or placed against goods or in front of the said premises, or in relation to any materials or vehicles put or placed or parked in any street in contravention of this rule.

27. Cleanliness in Hotel, Restaurant and Tea Stall -

1) No persons shall live in a such using the same as a dwelling place, except sleeping in a stall for a night for the purpose of safe watching the stall from thieves.

2) Hotels, restaurants and tea stalls shall be kept clean and in proper order in such a way that all kinds of foods, breads, and drinks are kept clean and free from all kinds of flies and other insanitary insects or dusts and particles.

3) The Sanitation Officer may issue a public notice prescribing a kind or kinds of almirahs, boxes or containers for use in hotel, restaurant and tea stall for keeping foods, breads or drinks.

4) No hotel, restaurant or tea stall be open at any place or quarter within the specified town without a licence from the Sanitation Officers on payment of an annual fee as specified in sub-rule (8).

5) The owners, occupiers or managers of the existing hotels restaurants or tea stall shall also obtain licence from the Sanitation

Officer for continuance of the same on payment of an annual fee as specified in sub-rule (8).

6) The Sanitation Officer may refuse to grant such licence for opening or continuance of hotel, restaurant or tea stall if he is of the opinion that such opening or continuance in the proposed existing position would be objectionable by reason of the nuisance or inconvenience it may cause to the Public or the inhabitants of the neighborhood, or for non-availability of proper latrine, urinal, drainage or other means of disposing of sewage and offensive matters.

7) While giving licence for opening or continuance of hotel, restaurant or tea stall the Sanitation Officer may make such terms or conditions to be observed by the owner, occupier or manager.

8) The annual licence fee shall be at the following rates namely-

- | | | |
|-------------------------|---|----------|
| a) Hotel-cum-Restaurant | - | Rs. 30/- |
| b) Hotel | - | Rs. 25/- |
| c) Restaurant | - | Rs. 25/- |
| d) Tea Stall | - | Rs. 20/- |

The levy of licence fee shall not affect the levy of trade tax payable under section 8 of the Lushai Hills District (Taxes) Regulation, 1953 as adapted and profession tax payable under the Mizo District (Professions, Trade, Calling and Employments Taxation) Regulation 1963 as adapted.

9) If in the opinion of a Sanitation Officer a hotel, restaurant, tea stall is maintained or run in bad or insanitary condition, the Sanitation Officer may, by notice, require the owner occupier or manager thereof to close down, vacate or stop management of the same from such date or time as may be stipulated in the notice.

10) In the event of any person failing to comply with the order served to him to discontinue, close down, vacate or stop management of a hotel, restaurant, or tea stall, under the foregoing sub-rule (6) or (9), the Sanitation Officer, may be order, impose a fine on the person not exceeding twenty rupees per day from the date immediately following the date of service of such order.

28. Entry and Inspections - The Sanitation Officer or the Sanitary Inspector on duty may, at all reasonable hours, enter into any hotel, restaurant, or tea stall for the purpose of inspecting, examining or ascertaining whether there is or has been any contravention of the provisions of these rules, notifications or notices issued there under.

29. General Penalty - Whoever, in any case in which a penalty is not expressly provided by these rules, fails to comply with any notice, order requisition made under any provision of these rules, or otherwise contravenes any of the provisions thereof, shall be punishable with a fine which may extend to Rs. 500/- (Rupees five hundred) or with imprisonment which may extend to two (2) months, or with both, and in the case of continuing failure or contravention, with addition fine which may extend to twenty rupees for every day during which he has persisted in the failure or contravention.

Sd/-

V. THANGZAMA

Secretary to the Govt. of Mizoram,

Local Admin. Town Planning & Housing Department